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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,891	12/24/2001	Edward M. Schrader	SCHRAD-1201	4247
7590		06/07/2006	EXAMINER	
Edward M. Schrader		TEKLE, DANIEL T		
5738 E. Hawthorne St.		ART UNIT		
Tucson, AZ 85711		PAPER NUMBER		
		2633		
DATE MAILED: 06/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,891

Applicant(s)

SCHRADER, EDWARD M.

Examiner

Daniel Tekle

Art Unit

2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Abstract Objections

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a **single paragraph** on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by

Fleming, III et al. (US 6973461 B1)

Regarding claim 1,2 and 4, The claims drawn to DVD movie disk having a quantity of stored information in which first portion provides a first soundtrack of a movie in first language; second portion provides a second soundtrack of a movie is also in first

Art Unit: 2633

language, where a minor portion of words of first soundtrack is not included in second soundtrack, and words that are not include in second soundtrack are of a type that would normally not be found in a "G"-rated movie; third portion provides a visual portion movie where a user can select to view the movie with either of first or second soundtrack; fourth portion provides a third soundtrack movie in a second language of a plurality of words, in which a major portion first soundtrack words are not included in third soundtrack.

Fleming, III et al. teaches a DVD movie disk having a quantity of stored information in which first portion provides a first soundtrack of a movie in first language; second portion provides a second soundtrack of a movie is also in first language, where a minor portion of words of first soundtrack is not included in second soundtrack, and words that are not include in second soundtrack are of a type that would normally not be found in a "G"-rated movie; third portion provides a visual portion movie where a user can select to view the movie with either of first or second soundtrack; fourth portion provides a third soundtrack movie in a second language of a plurality of words, in which a major portion first soundtrack words are not included in third soundtrack. The different ratings of the same film on the DVD of **Fleming, III et al.** encompasses the four different portion claimed (**column 1 lines 52-63 and column 2 lines 23-27**).

Regarding claim 3, the claim drawn to a DVD movie disk of claim 1 where first soundtrack includes a particular word, when it played with the visual portion of the movie. The inclusion of particular word necessitates the movie receiving a predetermined rating that corresponds to a particular minimum maturity level. The

Art Unit: 2633

second soundtrack, which does not include particular word when it played with the visual portion of movie, would receive a rating that corresponds to a particular minimum maturity level that is different from that of the first soundtrack.

Fleming, III et al. teach a DVD movie disk of claim 1 where first soundtrack includes a particular word, when it played with the visual portion of the movie. The inclusion of particular word necessitates the movie receiving a predetermined rating that corresponds to a particular minimum maturity level. The second soundtrack, which does not include particular word when it played with the visual portion of movie, would receive a rating that corresponds to a particular minimum maturity level that is different from that of the first soundtrack (**column 1 lines 52-62 and column 2 lines 23-27**).

Regarding claim 5-8, The claim drawn to DVD movie disk having a quantity of stored information and in which stored information can be read by a DVD player device; where first portion of stored information provides a first soundtrack of a movie where first soundtrack is in a first language, where the soundtrack includes a plurality of words, and in which a major portion of plurality of words is in first language; second portion of stored information provides a second soundtrack of movie, in which second soundtrack is in a second language where the second soundtrack includes a plurality of words, in which a major portion of the words of second soundtrack is in second language, and in which second language is different from first language; third portion of stored information provides a third soundtrack of movie, in which third soundtrack is in first language where the third soundtrack is in first language where the third soundtrack includes a plurality of words, in which a major portion of plurality of words is in first

Art Unit: 2633

language, in which a minor portion of the words of first soundtrack are not included in third soundtrack, and where minor portion of the first soundtrack's words that are not included in third soundtrack is of a type that at least some people would consider objectionable and third soundtrack is created a substitute word is used in place of at least one of words from first soundtrack that is not included in third soundtrack; fourth portion of stored information provides a visual portion of movie; where when DVD movie disk is played using a DVD player device, a user can select to watch the movie with any one of first, second or third soundtracks.

Fleming, III et al. teaches DVD movie disk having a quantity of stored information and in which stored information can be read by a DVD player device; where first portion of stored information provides a first soundtrack of a movie where first soundtrack is in a first language, where the soundtrack includes a plurality of words, and in which a major portion of plurality of words is in first language; second portion of stored information provides a second soundtrack of movie, in which second soundtrack is in a second language where the second soundtrack includes a plurality of words, in which a major portion of the words of second soundtrack is in second language, and in which second language is different from first language; third portion of stored information provides a third soundtrack of movie, in which third soundtrack is in first language where the third soundtrack is in first language where the third soundtrack includes a plurality of words, in which a major portion of plurality of words is in first language, in which a minor portion of the words of first soundtrack are not included in third soundtrack, and where minor portion of the first soundtrack's words that are not

Art Unit: 2633

included in third soundtrack is of a type that at least some people would consider objectionable and third soundtrack is created a substitute word is used in place of at least one of words from first soundtrack that is not included in third soundtrack; fourth portion of stored information provides a visual portion of movie; where when DVD movie disk is played using a DVD player device, a user can select to watch the movie with any one of first, second or third soundtracks **(Fig 2 and column 4 lines 23-39)**.

Regarding claim 9, The claim drawn to DVD movie disk where in first soundtrack includes a particular word, in which when the movie is viewed using first soundtrack, the inclusion of particular word causes the movie to receive a predetermined rating that corresponds to a particular minimum maturity level, and in which third soundtrack does not include particular word, where when movie is viewed using third soundtrack, the movie would receive a rating that corresponds to a particular minimum maturity level that is different from that given the movie using the first soundtrack.

Fleming, III et al. teach a DVD movie disk where in first soundtrack includes a particular word, in which when the movie is viewed using first soundtrack, the inclusion of particular word causes the movie to receive a predetermined rating that corresponds to a particular minimum maturity level, and in which third soundtrack does not include particular word, where when movie is viewed using third soundtrack, the movie would receive a rating that corresponds to a particular minimum maturity level that is different from that given the movie using the first soundtrack **(column 1 lines 52-62 and column 2 lines 23-27)**.

Regarding claim 10-12, The claim are drawn to a method for presenting a movie wherein at least on predetermined word has been removed from a soundtrack, having a computer read a quantity of data relating to movie, wherein data is located on a data storage device, where data includes information relating to a visual portion of movie and a soundtrack movie where soundtrack includes a plurality of words. A computer analyze at least a portion of data associated soundtrack, whereby when computer analyzes data, it recognizes the individual words in soundtrack; wherein computer then attempts to match each words of soundtrack against a predetermined list of words and wherein if computer finds a word in soundtrack that is also include in predetermined list of words, the computer will then modify soundtrack to omit, delete or altered words as computer presents movie via a display device and at least one speaker, whereby a user can then watch movie and listen to the words in soundtrack and not hear any words that are included in predetermined list of words.

Fleming, III et al. teach a method for presenting a movie wherein at least on predetermined word has been removed from a soundtrack, having a computer read a quantity of data relating to movie, wherein data is located on a data storage device, where data includes information relating to a visual portion of movie and a soundtrack movie where soundtrack includes a plurality of words. A computer analyze at least a portion of data associated soundtrack, whereby when computer analyzes data, it recognizes the individual words in soundtrack; wherein computer then attempts to match each words of soundtrack against a predetermined list of words and wherein if

Art Unit: 2633

computer finds a word in soundtrack that is also include in predetermined list of words, the computer will then modify soundtrack to omit, delete or altered words as computer presents movie via a display device and at least one speaker, whereby a user can then watch movie and listen to the words in soundtrack and not hear any words that are included in predetermined list of words (**column 1 lines 63-67 and column 2 line 43-48**).

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by **Tsuga et al. (US 5691972)**

Regarding claim 1,2 and 4, The claims drawn to DVD movie disk having a quantity of stored information in which first portion provides a first soundtrack of a movie in first language; second portion provides a second soundtrack of a movie is also in first language, where a minor portion of words of first soundtrack is not included in second soundtrack, and words that are not include in second soundtrack are of a type that would normally not be found in a “G”-rated movie; third portion provides a visual portion movie where a user can select to view the movie with either of first or second soundtrack; fourth portion provides a third soundtrack movie in a second language of a

Art Unit: 2633

plurality of words, in which a major portion first soundtrack words are not included in third soundtrack.

Tsuga et al. teaches a DVD movie disk having a quantity of stored information in which first portion provides a first soundtrack of a movie in first language; second portion provides a second soundtrack of a movie is also in first language, where a minor portion of words of first soundtrack is not included in second soundtrack, and words that are not include in second soundtrack are of a type that would normally not be found in a "G"-rated movie; third portion provides a visual portion movie where a user can select to view the movie with either of first or second soundtrack; fourth portion provides a third soundtrack movie in a second language of a plurality of words, in which a major portion first soundtrack words are not included in third soundtrack (**column 10 lines 38-97 and column 9 line 27-33**).

Regarding claim 3, the claim drawn to a DVD movie disk of claim 1 where first soundtrack includes a particular word, when it played with the visual portion of the movie. The inclusion of particular word necessitates the movie receiving a predetermined rating that corresponds to a particular minimum maturity level. The second soundtrack, which does not include particular word when it played with the visual portion of movie, would receive a rating that corresponds to a particular minimum maturity level that is different from that of the first soundtrack.

Tsuga et al. teach a DVD movie disk of claim 1 where first soundtrack includes a particular word, when it played with the visual portion of the movie. The inclusion of particular word necessitates the movie receiving a predetermined rating that

Art Unit: 2633

corresponds to a particular minimum maturity level. The second soundtrack, which does not include particular word when it played with the visual portion of movie, would receive a rating that corresponds to a particular minimum maturity level that is different from that of the first soundtrack (**column 10 lines 38-97 and column 9 line 27-33**).

Regarding claim 5-8, The claim drawn to DVD movie disk having a quantity of stored information and in which stored information can be read by a DVD player device; where first portion of stored information provides a first soundtrack of a movie where first soundtrack is in a first language, where the soundtrack includes a plurality of words, and in which a major portion of plurality of words is in first language; second portion of stored information provides a second soundtrack of movie, in which second soundtrack is in a second language where the second soundtrack includes a plurality of words, in which a major portion of the words of second soundtrack is in second language, and in which second language is different from first language; third portion of stored information provides a third soundtrack of movie, in which third soundtrack is in first language where the third soundtrack is in first language where the third soundtrack includes a plurality of words, in which a major portion of plurality of words is in first language, in which a minor portion of the words of first soundtrack are not included in third soundtrack, and where minor portion of the first soundtrack's words that are not included in third soundtrack is of a type that at least some people would consider objectionable and third soundtrack is created a substitute word is used in place of at least one of words from first soundtrack that is not included in third soundtrack; fourth portion of stored information provides a visual portion of movie; where when DVD movie

Art Unit: 2633

disk in played using a DVD player device, a user can select to watch the movie with any one of first, second or third soundtracks.

Tsuga et al. teaches DVD movie disk having a quantity of stored information and in which stored information can be read by a DVD player device; where first portion of stored information provides a first soundtrack of a movie where first soundtrack is in a first language, where the soundtrack includes a plurality of words, and in which a major portion of plurality of words is in first language; second portion of stored information provides a second soundtrack of movie, in which second soundtrack is in a second language where the second soundtrack includes a plurality of words, in which a major portion of the words of second soundtrack is in second language, and in which second language is different from first language; third portion of stored information provides a third soundtrack of movie, in which third soundtrack is in first language where the third soundtrack is in first language where the third soundtrack includes a plurality of words, in which a major portion of plurality of words is in first language, in which a minor portion of the words of first soundtrack are not included in third soundtrack, and where minor portion of the first soundtrack's words that are not included in third soundtrack is of a type that at least some people would consider objectionable and third soundtrack is created a substitute word is used in place of at least one of words from first soundtrack that is not included in third soundtrack; fourth portion of stored information provides a visual portion of movie; where when DVD movie disk in played using a DVD player device, a user can select to watch the movie with any one of first, second or third soundtracks (**column 12 line 55-59 and figure 6**).

Regarding claim 9, The claim drawn to DVD movie disk where in first soundtrack includes a particular word, in which when the movie is viewed using first soundtrack, the inclusion of particular word causes the movie to receive a predetermined rating that corresponds to a particular minimum maturity level, and in which third soundtrack does not include particular word, where when movie is viewed using third soundtrack, the movie would receive a rating that corresponds to a particular minimum maturity level that is different from that given the movie using the first soundtrack.

Tsuga et al. teach a DVD movie disk where in first soundtrack includes a particular word, in which when the movie is viewed using first soundtrack, the inclusion of particular word causes the movie to receive a predetermined rating that corresponds to a particular minimum maturity level, and in which third soundtrack does not include particular word, where when movie is viewed using third soundtrack, the movie would receive a rating that corresponds to a particular minimum maturity level that is different from that given the movie using the first soundtrack **(column 12 line 55-59).**

Regarding claim 10-12, The claim are drawn to a method for presenting a movie wherein at least on predetermined word has been removed from a soundtrack, having a computer read a quantity of data relating to movie, wherein data is located on a data storage device, where data includes information relating to a visual portion of movie and a soundtrack movie where soundtrack includes a plurality of words. A computer analyze at least a portion of data associated soundtrack, whereby when computer analyzes data, it recognizes the individual words in soundtrack; wherein computer then

Art Unit: 2633

attempts to match each words of soundtrack against a predetermined list of words and wherein if computer finds a word in soundtrack that is also include in predetermined list of words, the computer will then modify soundtrack to omit, delete or altered words as computer presents movie via a display device and at least one speaker, whereby a user can then watch movie and listen to the words in soundtrack and not hear any words that are included in predetermined list of words.

Tsuga et al. teach a method for presenting a movie wherein at least on predetermined word has been removed from a soundtrack, having a computer read a quantity of data relating to movie, wherein data is located on a data storage device, where data includes information relating to a visual portion of movie and a soundtrack movie where soundtrack includes a plurality of words. A computer analyze at least a portion of data associated soundtrack, whereby when computer analyzes data, it recognizes the individual words in soundtrack; wherein computer then attempts to match each words of soundtrack against a predetermined list of words and wherein if computer finds a word in soundtrack that is also include in predetermined list of words, the computer will then modify soundtrack to omit, delete or altered words as computer presents movie via a display device and at least one speaker, whereby a user can then watch movie and listen to the words in soundtrack and not hear any words that are included in predetermined list of words (**column 17 lines 52-67 and column 18 line 1-5**).

Even though **Tsuga et al.** do not explicitly teaches omit, delete or altered words in each of the various rated versions, it is inherent that objectionable words that are

present in the more mature rating will be omitted, delete and/or altered in the version suitable for general audiences.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is (571) 270-1117. The examiner can normally be reached on M to F, 7:30 to 5:00 atl. F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shanon Foley can be reached on (571) 272-0898. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 18, 2006
Daniel Tekle
Patent Examiner



Shanon A. Foley
Supervisory Patent Examiner

